

Employment

Businesses are challenged with creating a safe and rewarding environment for employees, as well as keeping up with a seemingly unending list of federal, state and local employment laws and regulations. Our employment attorneys counsel employers and human resources professionals to navigate the legal risks involved with maintaining a workforce, helping them create policies, procedures and best practices designed to promote a positive and effective work environment. Niles Barton's attorneys believe that the best way to solve legal problems in the workplace is to prevent them from happening in the first place. This is done by creating thoughtful, compliant employment policies and procedures that provide all employees, including management, with a clear understanding of the employer's expectations and commitment to complying with legal requirements affecting the workplace.

We assist clients in developing standards and policies to keep up with a constantly changing legal landscape in all areas of employment law, including laws relating to equal employment, discrimination; sexual and other forms of harassment; employee privacy; hiring, retention, and termination; medical and family leave; disability; wage payment; record keeping; performance and discipline; and substance abuse. Our attorneys also work closely with human resource professionals to train employees and draft employee handbooks, employment contracts, confidentiality and non-disclosure agreements, separation agreements, and severance packages designed to protect the employer's business interests and reduce legal and reputational risk. We also conduct internal and external workplace investigations necessitated by claims of discrimination or harassment occurring in the workplace.

Sometimes, though, legal disputes and administrative claims are unavoidable. When litigation cannot be avoided, Niles Barton's experienced litigators are there to advise and counsel our clients to obtain the most efficient resolution, be it through a dispositive motion, trial, or alternative dispute resolution. We engage our clients early and continuously in legal strategy discussions, always being sure to, above all else, *listen to the client* and adjust the litigation plan to meet the client's goals. Our litigation experience includes defending employers in federal and state courts, arbitration, the EEOC and other administrative agencies on a complex variety of employment practices, including alleged violations of: wage and hour laws, Title VII of the Civil Rights Act, disability discrimination, sexual harassment, age discrimination, family and medical leave, employee benefits and ERISA, and common law claims such as wrongful discharge, defamation, and breach of contract. Niles Barton employment litigation practice includes working with insurers that provide employment practices liability insurance coverage ("EPLI").

In addition, Niles Barton's litigators represent clients in business litigation between employers and their current or former employees, including lawsuits aimed to enforce non-solicitation agreements and other restrictive covenants, and to protect company trade secrets and other confidential and/or proprietary information.

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Brett A. Buckwalter

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